IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1398 OF 2005.

Anthony Peter V. Julian ..Petitioner

versus

Haria A. Fernandes Menezes
& Another ..Respondents

Shri Niranjan Mundargi for the Petitioner

Mrs.A.S.Pai APP for the State

Coram : S.B.Mhase &
S.R.Sathe, JJ.
Dated : 29th November, 2006

P.C.

1. The learned Counsel on instructions of P.I. A.B.Jadhav states that the application made by the respondent No.1 was investigated without registering the C.R. and now the Officer has come to the conclusion that the complaint is of Civil nature. Thus, what we find is that the procedure which has been adopted by the investigating agency is in violence of Section 154 and 157 Cr.P.C. and the investigation has been carried out without any authority of law without the crime. Now, on instructions of the said officer, Mrs. Pai makes statement that the crime will be registered and report under Section 169 will be submitted. In view of this statement the learned counsel for the

petitioner states that he may be allowed to withdraw the petition.

2. Petition allowed to be withdrawn. Hence disposed of accordingly.

(S.R.Sathe, J.) **(S.B.Mhase, J.)**